

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER

JAMAUL AZIZ,

21-CR-00113 (PMH)

Defendant.

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PHILIP M. HALPERN, United States District Judge:

On January 23, 2023, Magistrate Judge Davison issued a Report and Recommendation, recommending that defendant's motion to dismiss the indictment be denied. (Doc. 140). Written objections were due, pursuant to Fed. R. Crim. P. 59, by February 6, 2023. On January 24, 2023, after the Court received a document from defendant *pro se* entitled "Defendant's Objection to Magistrate Judge's Report & Recommendation to Deny Motion to Dismiss Indictment," the Court issued an order rejecting the *pro se* filing as defendant is represented by counsel, and advised that it will not consider the *pro se* objections. (Doc. 141). The Court advised in that order it would take no action on defendant's submission and that all communications with the Court must be made through defense counsel. (*Id.*).

On January 26, 2023, the parties appeared before the Court for a status conference. Defense counsel orally advised the Court that he adopted his client's *pro se* objections. The Court reiterated that it would not accept the defendant's *pro se* filings, but that defense counsel was free to adopt defendant's objections by filing on defendant's behalf. No objections have been filed to date.

Accordingly, the Court *sua sponte* extends the time to file any written objections to the Magistrate Judge's Report and Recommendation to February 10, 2023. Failure to file via ECF

written objections by that date, *through counsel only*, will result in the Court's review and consideration of the Report and Recommendation without any objections thereto.

SO ORDERED.

Dated: White Plains, New York
February 8, 2023

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written above a horizontal line.

Philip M. Halpern
United States District Judge